

January 16, 2015

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Protecting and Promoting the Open Internet, GN Docket No. 14-28

Dear Ms. Dortch,

On Wednesday, January 14, 2015, Dean C. Garfield, President and CEO of the Information Technology Industry Council (ITI), and Vince Jesaitis, Vice President of Government Affairs, met with Philip Verveer, Senior Counsel to Chairman Wheeler, and Daniel Alvarez, Legal Advisor to Chairman Wheeler.

ITI's members depend on a well-functioning Internet to deliver content and applications to customers, and ITI shares end-users' interest in ensuring the availability of an open Internet.

During this meeting, ITI reiterated points made in its filing with the Commission on July 17, 2014, in the above proceeding, with a particular focus on the need to limit any upcoming rulemaking to the residential broadband Internet access market.

Specifically, ITI asked that the Commission refrain from imposing rules on the wholesale broadband market at this time.¹ The Commission should not act unless the Commission develops a more robust record that shows a need for regulatory intervention, defines the issue that requires resolution, and finds that regulation will address that issue without doing harm to the wholesale broadband market or the residential consumer Internet experience. The wholesale market today is characterized by business-to-business arrangements that are critical to and improve the performance of the public, best-efforts Internet. Regulatory intervention based on the limited record before the Commission could do more harm than good in this complex area. At a minimum, the technical aspects and business implications of peering and interconnection need to be understood fully before deciding on the best path forward. And, indeed, with further examination, the

¹ "Wholesale broadband market" refers to "the exchange of traffic between networks, whether peering, paid peering, content delivery network (CDN) connection, or any other form of inter-network transmission of data, as well as provider-owned facilities that are dedicated solely to such interconnection".

Commission may conclude that voluntary industry principles are sufficient to ameliorate any concerns in the market.

By focusing the current proceeding on the relationship between a residential broadband access subscriber and their Internet service provider, while refraining from acting in the wholesale broadband market, the Commission can ensure companies operating in the wholesale broadband space can focus on ensuring the efficient delivery and optimal experience of Internet content, thereby improving the Internet experience for all end-users.

Sincerely,

Vince Jesaitis
Vice President, Government Affairs
Information Technology Industry Council

CC: Philip Verveer
Daniel Alvarez